

REMARKS**I. Status**

The Office Action indicates claims 1-13, 16, and 18-29 to be pending in this Application.

Claims 1-13, 16, 18, and 22-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandes (U.S. Patent No. 6,920,327) in view of Dorenbosch (U.S. Patent Application Publication No. 2004/0028009).

Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandes in view of Dorenbosch and Grilli (U.S. Patent Application Publication No. 2003/0002525).

Claims 1, 18, 20, and 22-24 are independent.

II. Rejection of Independent Claims 1, 18, 20, and 22-24 under 35 U.S.C. 103

The Office Action rejects claims 1, 18, and 22-24 under 35 U.S.C. 103(a) as being unpatentable over Brandes in view of Dorenbosch, and rejects claim 20 under 35 U.S.C. 103(a) as being unpatentable over Brandes in view of Dorenbosch and Grilli.

However, the Applicant respectfully submits that the cited references, taken individually or in combination, fail, for example, to disclose, teach, or suggest:

“... changing to the selected available downlink radio signal for in part performing a handover so that said handover is only performed between a downlink of a digital generally bi-directional communications service and a digital generally unidirectional broadcast communications service, wherein said handover is performed so that an uplink of the digital

generally bi-directional communications service is
maintained”

as set forth in claim 1 (emphasis added).

As another example the cited references, taken individually or in combination, fail to disclose, teach, or suggest:

“... wherein the handover comprises a partial handover so that the signals and service relating to the downlink of the cellular mobile data communication domain are configured to be handed over to the digital broadcast data communication domain, wherein said handover is performed so that an uplink of the cellular mobile data communication domain is maintained”

as set forth in claim 18 (emphasis added).

As a further example the cited references, taken individually or in combination, fail to disclose, teach, or suggest:

“... wherein the handover comprises a partial handover so that signals and service relating to the digital broadcast data communication domain are configured to be handed over to the downlink of the cellular mobile data communication domain, and wherein said handover is performed so that an uplink of the cellular mobile data communication domain is maintained”

as set forth in claim 20 (emphasis added).

As an additional example the cited references, taken individually or in combination, fail to disclose, teach, or suggest:

“... means for changing to another available downlink radio signal for in part performing said handover so that said handover is configured to be established only between the downlink of the digital generally bi-directional communications service and the digital generally unidirectional broadcast communications service, wherein said handover is performed so that an uplink of the digital

generally bi-directional communications service is
maintained”

as set forth in claim 22 (emphasis added).

As another example the cited references, taken individually or in combination, fail to disclose, teach, or suggest:

“... said handover is only configured to be established between the downlink of the digital generally bi-directional communications service and the digital generally unidirectional broadcast communications service, wherein said handover is performed so that an uplink of the digital generally bi-directional communications service is maintained”

as set forth in claim 23 (emphasis added).

As a further example the cited references, taken individually or in combination, fail to disclose, teach, or suggest:

“... means for changing to another available downlink radio signal for in part performing said handover so that said handover is only configured to be established between the downlink of the digital generally bi-directional communications domain and the digital generally unidirectional broadcast communications domain, wherein said handover is performed so that an uplink of the digital generally bi-directional communications domain is maintained”

as set forth in claim 24 (emphasis added).

The Office Action apparently contends that such is provided by the combination of Brandes and Dorenbosch, the Office Action apparently considering Brandes to disclose a bi-directional communications service, a unidirectional broadcast communications service, a cellular mobile data communication domain, a digital broadcast data communication domain, a bi-directional communications domain, and a unidirectional broadcast communications domain,

and apparently considering Dorenbosch to teach setting up a first IP connection and a second IP connection where handover involves both connections existing concurrently.

However, the Applicant respectfully submits that, even taking Brandes to so disclose for the sake of argument, the Applicant respectfully disagrees with the view that the above-identified of the claims is provided by the combination of Brandes and Dorenbosch for at least the reason that Dorenbosch, taken alone or in combination with the other references, fails, for instance, to disclose, teach, or suggest that one of the first IP connection and the second IP connection of Dorenbosch is unidirectional or corresponds to broadcast, and that a second of the first IP connection and the second IP connection of Dorenbosch is bi-directional or corresponds to cellular, and instead merely discusses both IP connections to be bi-directional:

“[w]hile FIG. 2 shows an IP connection via a cellular system and another via a wireless IP access point, specifically an IEEE 802.11 access point, it is important to note that any combination of wired and wireless networks or access points may advantageously use the inventive principles and concepts discussed and described herein. For example, various access points according to various known standards and technologies and evolutions thereof, such as HiperLan, Bluetooth, other local area network technologies, as well as varying forms of cellular and cellular like access technologies may be used and the concepts here disclosed can be used to effect a hand off within or between there respective systems or networks”
(see Dorenbosch paragraph [0020]; emphasis added)

“[a]s an overview, the handoff from the cellular system to the wireless IP network shown in FIG. 2 includes setting up or initiating the first IP connection by informing the gateway 205 of the first IP address, IP A1, 217 using SCTP. Preferably this will be done by the first station 203. Then the method includes communicating a packet data communication, using an application that runs on SCTP, between station B 203 and the gateway using the first IP connection 219 and first IP address 217 for station B through the cellular network where the gateway does address

translation and protocol translation, SCTP to or from TCP/UDP, and relays the packet data communication with (to or from) the second station 209”
(see Dorenbosch paragraph [0024]; emphasis added).

In view of at least the foregoing, the Applicant respectfully submits that claims 1, 18, 20, and 22-24, as well as those claims that depend therefrom, are in condition for allowance.

III. Dependent Claims

The Applicant does not believe it is necessary at this time to further address the rejections of the dependent claims as the Applicant believes that the foregoing places the independent claims in condition for allowance. The Applicant, however, reserves the right to further address those rejections in the future should such a response be deemed necessary and appropriate.

(Continued on next page)

CONCLUSION

The Applicant respectfully submits that this application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 504827, Order No. 1004289.247US (4208-4281).

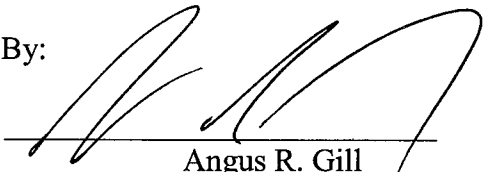
Furthermore, in the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

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Dated: December 16, 2009

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